

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant(s) : Tomohiro Nishi, et al.
 Serial No. : 10/085,659
 Filed : February 26, 2002
 For : OPTICAL STATE MODULATION METHOD AND SYSTEM, AND
 OPTICAL STATE MODULATION APPARATUS
 Examiner : Yenke, Brian P.
 Art Unit : 2614

745 Fifth Avenue
 New York, NY 10151
 Tel: 212-588-0800

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

- No additional fee is required.
 The fee has been calculated as shown below.
 This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

Claims as Amended

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Present extra	(6) Rate	(7) Additional Fee
Total claims	23	Minus	** = 23	* 0 x	\$50 (25)	= \$ 0
Independent claims	15	Minus	*** = 15	* 0 x	\$200 (100)	= \$ 0
Total additional fee for this amendment						\$ 0

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

** If the highest number of total claims previously paid for is less than 20, write "20" in this space.

*** If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

- This application contains a multiple dependent claim. The required fee of \$360(180) has been previously paid , or is paid herewith .
- This response is being filed within the _____ month following the expiration of the term originally set therefor. This is a petition to request a _____ month extension of time. A check covering the cost of the petition is enclosed.
- A check in the amount of \$130.00 is attached, which covers the cost of Terminal Disclaimer _____ petition for extension of time.
- Charge \$_____ to Deposit Account No. 50-0320.
- Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 28, 2005.

Thomas F. Presson, Reg. No. 41,442

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
 Attorneys for Applicants

Name of Applicant, Assignee or Registered Representative
Thomas F. Presson
 Signature
 February 28, 2005
 Date of Signature

By: Thomas F. Presson
 Thomas F. Presson
 Reg. No. 41,442
 Tel: 212-588-0800



2614
PATENT
450100-03743

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Thomas F. Presson, Reg. No. 41,442
(Name of Applicant, Assignee or Registered Representative)



Signature

February 28, 2005
Date of Signature

RESPONSE UNDER 37 C.F.R. § 1.121

Mail Stop Amendment
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P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed on November 26, 2004, having a three-month statutory period for response set to expire on February 28, 2005 (February 26, 2005 being a Saturday). Applicants respond as follows.

Remarks begin on page 3 of this paper.